

1           **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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3 INVENTORSHIP ..... VARNHAM, Malcolm Paul  
4 U.S. SERIAL NO. ..... n/a  
5 PCT APPLICATION NO. ..... PCT/GB2004/002712  
6 INTERNATIONAL FILING DATE ..... 23 June 2004  
7 ART UNIT ..... n/a  
8 ATTORNEY DOCKET NO. ..... SO01-P16  
9 TITLE:       **APPARATUS FOR PROVIDING OPTICAL RADIATION**

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11           **DECLARATION OF SOLE INVENTOR**

12           **FOR PATENT APPLICATION CLAIMING**

13           **PRIORITY ON PRIOR FILED FOREIGN APPLICATION**

14  
15 As the below named sole inventor, I hereby declare that:

16 My residence, post office address and citizenship are as stated below next to my  
17 name.

18 I believe I am the original, first and sole inventor of the subject matter which is  
19 claimed and for which a patent application is sought on the invention entitled: APPARATUS  
20 FOR PROVIDING OPTICAL RADIATION, the specification of which is being filed  
21 herewith.

22 I hereby state that I have reviewed and understand the contents of the above-identified  
23 specification, including the claims.

24 I do not know and do not believe that the invention was ever known or used in the  
25 United States of America before my invention thereof.

I do not know and do not believe that the invention was in public use or on sale in the  
United States of America more than one year prior to this application.

This application discloses and claims subject matter disclosed in my earlier filed, co-pending Patent Cooperation Treaty (“PCT”) patent application, “APPARATUS FOR PROVIDING OPTICAL RADIATION”, PCT Patent Application No. PCT/GB2004/002712, filed June 23, 2004, and which names the United States of America as a designated country. PCT application number PCT/GB2004/002712 in turn claims priority to Great Britain patent application serial number GB0314817.8, filed in The United Kingdom on 25 June, 2003.

**8 || CLAIM TO PRIORITY UNDER 35 USC § 119, 120, 363 & 365(C):**

I hereby claim the benefit of priority benefits under Title 35, United States Code, §§ 119, 120, 363, and/or 365(c), to any United States patent application, or any national application(s), or any international application(s) filed under Title 35, United States Code, § 363 which designates the United States, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior patent application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Titled 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national filing date of this application:

19 Patent Cooperation Treaty (“PCT”) application serial number PCT/GB2004/002712

20 Filed: 23 June 2004

**21** Status: Co-pending.

23 | Serial Number: GB0314817.8

24 | Country: The United Kingdom (Great Britain)

25 | Day/Month/Year Filed: 25 June 2003

Status: Co-pending

1 As to the subject matter of this application, which is common to said earlier  
2 application(s), I do not know and do not believe that the same was ever known or used in the  
3 United States of America before our invention thereof or patented or described in any printed  
4 publication in any country before our invention thereof, or more than one year prior to said  
5 earlier application, or in public use or on sale in the United States of American more than one  
6 year prior to said earlier application;

7 The common subject matter has not been patented or made the subject of any  
8 inventor's certificate issued before the date of said earlier application(s) filed by me or my  
9 legal representatives or assigns more than twelve months prior to said earlier application; and

10 As to the applications for patents or inventor's certificate on the common subject  
11 matter filed in any country foreign to the United States of America, prior to said earlier  
12 application by me or my legal representatives or assigns, I hereby claim foreign priority  
13 benefits under Title 35, United States Code, §119 of any of the aforementioned foreign  
14 application(s) for patent or inventor's certificate and have also identified above any foreign  
15 application for patent or inventor's certificate having a filing date before that of the  
16 application on which priority is claimed.

17 I hereby declare that all statements made herein of my own knowledge are true and  
18 that all statements made on information and belief are believed to be true; and further that  
19 these statements were made with the knowledge that willful false statements and the like so  
20 made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the  
21 United States Code and that such willful false statement may jeopardize the validity of the  
22 application or any patent issued therefrom.

23 I acknowledge the duty to disclose information known to me to be material to  
24 patentability as defined in Title 37, Code of Federal Regulations §1.56.

25

(Continued on next page.)

1 **POWER OF ATTORNEY**

2 As a sole Inventor, I hereby appoint the following attorney to prosecute this  
3 application and transact all business in the Patent and Trademark Office connected therewith:  
4 John S. Reid, Reg. No. 36,369.

5 Please send correspondence to: REIDLAW, L.L.C., 1926 S. Valleyview Lane,  
6 Spokane, WA 99212-0157. Direct telephone calls to: John S. Reid, (509) 534-5789.

7 \* \* \* \* \*

8 Full name of inventor: **Malcolm Paul VARNHAM**

9 Inventor's Signature: MPV

10 Date: 14 Dec 2005

11 Residence: **Alresford, Hampshire, England (U.K.)**

12 Citizenship: **U.K.**

13 Post Office Address: **76 Grange Road**

14 **Alresford**

15 **Hampshire**

16 **SO24 9HR**

17 **Great Britain (U.K.)**

18 \* \* \* \* \*

19 (End.)

1           **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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3 INVENTORSHIP ..... VARNHAM, Malcolm, Paul  
4 U.S. SERIAL NO. ..... n/a  
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6 INTERNATIONAL FILING DATE ..... 23 June 2004  
7 ART UNIT..... n/a  
8 ATTORNEY DOCKET NO. ..... SO01-P16

9           **TITLE: APPARATUS FOR PROVIDING OPTICAL RADIATION**

10           **POWER OF ATTORNEY OF ASSIGNEE AND DESIGNATION OF**  
11           **DOMESTIC REPRESENTATIVE**

12           The undersigned, being the assignee of the full right, title and interest in the invention  
13 titled "APPARATUS FOR PROVIDING OPTICAL RADIATION", for which an application  
14 for a United State patent is being filed herewith, hereby appoints the following attorney to  
15 prosecute this application and transact all business in the United States Patent and Trademark  
16 Office connected therewith, and further to act as Applicant's Domestic Representative with  
17 respect to the indicated patent application, and any patents which may issue therefrom:

18           John S. Reid

19           Reg. No. 36,369

20           located at:

21           Reidlaw, L.L.C.

22           1926 South Valleyview Lane

23           Spokane, WA 99212-0157

24           U.S.A.

25           Telephone Area Code (509) 534-5789, facsimile (509) 532-0351.

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1 Please direct all inquiries to John S. Reid at the above address and telephone number.  
2

3 **Assignee: SPI Lasers UK Limited**

4  
5 By: MPV  
6 (signature)

7 Name (print): Malcolm P. VARNHAM

8 Title: Vice President

9 Date: 14 Dec 2005

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: SPI Lasers UK Limited

Application No./Patent No.: PCT/GB2004/002712/US Filed/Issue Date: herewith

Entitled: APPARATUS FOR PROVIDING OPTICAL RADIATION

SPI Lasers UK Limited, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee:

M.P.V.H.

Signature

16 Dec 2005

Date

Malcolm Paul VARNHAM

011-44-1489-779-693

Printed or Typed Name

Telephone number

Vice President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.